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UNITED STATES GENERAL ACCOUNTING OFFICE

CE Z 1530605-WHS-9

July 27, 1954

Damages sustained by employees in the packing and shipment of household goods are personal to the employees.

The Government cannot be made agent or trustee for the collection of debts in which it has no actual concern.

CLAIMS BRANCH, G.A.O. TO FISCAL DIVISION, C.I.A.

Returned herewith for appropriate disposition by your office are the files relative to the damages sustained by J. B. B., V. C., and N. C. H., employees of your agency, in the packing and shipment of household goods on official change of station from [redacted] during 1951.

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The file discloses that the packing and crating of the household

[redacted]

shows that attempts by officers of your Agency to effect adjustment with both the packer and carrier have been unavailing.

The contract provides in item 5 that financial responsibility for loss or damage to effects while in their control and for loss or damage to effects resulting from the contractor's negligence or improper performance under the contract is personal to the owner of the effects.

It appears from your letter dated May 13, 1954, that the purpose in forwarding the files to this Office is to attempt collection from the packer, for apparently improper packing and crating, in order to reimburse the employees for the losses sustained. In this connection you are advised that it has been consistently held by the accounting officers of the Government that the Government cannot be made agent or trustee for the collection of debts in which the Government has no actual concern. See 17 Comp. Gen. 329 and 15 Comp. Gen. 38.

In view of the above, and as the remedy for damages sustained appears to be personal with the employees, it is suggested that they prosecute the matter to final adjustment.

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